

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 075234.0215	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2006/024170	International filing date (<i>day/month/year</i>) 20 June 2006 (20.06.2006)	Priority date (<i>day/month/year</i>) 20 June 2005 (20.06.2005)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant CFPH, LLC		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 5 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 80%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 December 2007 (24.12.2007)
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Jay B. Johnson
Baker Botts LLP
2001 Ross Avenue
Dallas, Texas 75201

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year) 14 MAR 2007		
Applicant's or agent's file reference 075234.0215	FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/US 06/24170	International filing date (day/month/year) 20 June 2006 (20.06.2006)	Priority date (day/month/year) 20 June 2005 (20.06.2005)
International Patent Classification (IPC) or both national classification and IPC IPC(8) - G06Q 40/00 (2007.01) USPC - 705/36R		
Applicant CFPH, LLC		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Date of completion of this opinion 18 Feb 2007 (18.02.2007)	Authorized officer: Lee W. Young <small>PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774</small>
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US 06/24170

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US 06/24170

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 18-32

because:

☒ the said international application, or the said claims Nos. 18-32 relate to the following subject matter which does not require an international search (*specify*):

unsearchable subject matter (software) pursuant PCT Rule 39.1 (vi) under PCT Article 17(2)(a)(i).

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

☒ no international search report has been established for said claims Nos. 18-32

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13^{ter}.1(a) or (b).

☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US 06/24170

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-17	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-17	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1, 3-6, 8-17 lack an inventive step under PCT Article 33(3) as being obvious over US 2002/0147671 A1 to SLOAN et al (hereinafter 'Sloan') in view of US 2002/0111761 A1 to EDGECOMBE et al (hereinafter 'Edgcombe').

Regarding claim 1, 8, 16, 17, Sloan teaches a system (para [0050]-[0051]) that displays financial market information, including a computer having memory 136, 138, 140, for receiving and storing financial market information; a display 158 and a processor 130 to process financial market information to generate a graphical depiction of the financial market information (Fig. 5, para [0063]). The data server 128 includes outside database sources from which the financial advising system 102 can draw dynamic financial market information for various market indices as well as individual stock securities pricing information (para [0047], [0057]). Sloan also teaches that in a single window, graphic depictions of more than two financial instruments may be shown and compared (Fig 5, para [0015], [0047], [0062], [0065], [0066], [0076]). However, Sloan does not specifically teach the real-time update and multidimensional graphic display. One skilled in the art would recognize that real-time financial market information is widely used for many current financial analysis software, thus it would be obvious to an ordinary person in the art to dynamically update the display using the real-time market information is a matter of choice. Further, Edgcombe teaches a method and system of displaying financial information in multidimensional graphics (para [0187]-[0195]). One skilled in the art would be motivated to modify Sloan's system, such that it displays more than one financial instrument, including multidimensional information as taught by Edgcombe, in real-time, as it would provide the user with a vast amount of information needed to make a trade in an easy to understand format, thus making the system more useable.

Regarding claim 3, 5 and 6, Sloan teaches that the user may select financial instruments at will (para [0052]). It would have been obvious to one skilled in the art that a user may select more than two financial instruments at the same time. Since it is well known to display different information in a different window, it would have been obvious to an ordinary person in the art to display associated information in a second window as a matter of design choice.

Regarding claim 4, Sloan teaches that the user is able to learn, plan, decide, arrange, transact and monitor his financial model (para [0052]).

Regarding claims 9, 10, 13 and 14, Sloan teaches different financial instruments may be compared, either on the basis or by swapping (Fig. 15, para [0129]).

Regarding claim 11 and 12, Sloan teaches trade differences and net changes in comparison (Fig. 14, para [0129]).

Regarding claim 15, Sloan teaches that associated financial information may be displayed in different blocks (Fig 5).

Claims 2 and 7 lack an inventive step under PCT Article 33(3) as being obvious over Sloan in view of Edgcombe as applied above, and further in view of US 2005/0044026 A1 to LEISTNER.

Regarding claim 2 and 7, as discussed above, Sloan and Edgcombe disclose the system as provided previously with respect to claims 1 and 6. However, neither Sloan nor Edgcombe specifically teach displaying treasury and futures. Leistner teaches obtaining and analyzing treasury and futures data at the same time (para [0036] and [0048]). It would have been obvious to an ordinary person in the art to display treasury and futures data at the same time by adopting the data selection system taught by Leistner in the system taught by Sloan and Edgcombe. One skilled in the art would be motivated to modify Sloan's system, such that it displays more than one financial instrument, including treasury and features as taught by Leistner in a multidimensional information as taught by Edgcombe, in real-time, as it would provide the user with a vast amount of information needed to make a treasury or futures trade in an easy to understand format, thus making the system more useable.

Claims 1-17 have industrial applicability as defined by PCT Article 33(4) because the subject matter can be made or used in industry.